

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD WESLEY BRYAN,
Plaintiff,

V.

STATE OF WASHINGTON et al.,
Defendants.

CASE NO. C23-06042-KKE-DWC

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on Magistrate Judge David W. Christel's report and recommendation ("R&R") to dismiss this case with prejudice. Dkt. No. 19. The Court has reviewed Mr. Bryan's objection to the R&R (Dkt. No. 23) and the remaining filings in this case. After de novo review and for the reasons provided below, the Court adopts the R&R and dismisses this case with prejudice.

Mr. Bryan is incarcerated at Stafford Creek Correctional Center and is proceeding pro se. He filed this case against the State of Washington and various individuals, alleging constitutional claims pursuant to 42 U.S.C. § 1983 arising out of his state-court criminal convictions. Dkt. No. 19 at 1. According to Judge Christel, in Mr. Bryan’s initial complaint, he raised “three difficult-to-decipher claims, named twenty-eight defendants, and attached over 100[] pages of exhibits.” Dkt. No. 19 at 2 (citing Dkt. No. 1-1). Upon review, the Court declined to serve the initial complaint, but granted Mr. Bryan leave to amend his complaint, and provided detailed instructions

1 to Mr. Bryan for doing so. Dkt. No. 9. The Court observed that it was “Plaintiff’s responsibility
 2 to make each claim clear and provide only a short statement of facts supporting each claim.” *Id.*
 3 at 2 (cleaned up). The Court advised Mr. Bryan that his failure to cure the identified deficiencies
 4 would result in a recommendation of dismissal. *Id.*

5 Mr. Bryan subsequently filed his Amended Complaint. Dkt. No. 18. As detailed in the
 6 R&R, the Amended Complaint names twenty-nine individuals as defendants, and contains claims
 7 that are “lengthy, difficult to decipher, and a narration of why he believes his rights as a ‘sovereign
 8 citizen’ have been violated.” *Id.* at 14–46. The R&R thoroughly explains that the Amended
 9 Complaint contains the same deficiencies identified in the Court’s prior order (Dkt. No. 9),
 10 including that Mr. Bryan’s claims are “presented in a lengthy narrative and accompanied by over
 11 100[] pages of exhibits.” Dkt. No. 19 at 5 (citing Dkt. Nos. 18 at 14–46, 18–1, 18–2). The R&R
 12 further finds that Mr. Bryan’s claims fail substantively for numerous additional reasons. *Id.* at 6–
 13 10.

14 In his objection to the R&R, Mr. Bryan disagrees with Judge Christel’s description of his
 15 Amended Complaint and alleges Judge Christel committed fraud and perjury by misrepresenting
 16 Mr. Bryan’s arguments. *See* Dkt. No. 23 at 2–3. The Court has reviewed the R&R and Mr. Bryan’s
 17 claims both in the Amended Complaint, and as they are described in his objection to the R&R.
 18 The Court finds neither of Mr. Bryan’s filings state any cognizable claim. *See, e.g.*, Dkt. No. 23
 19 at 7–8. The Court further finds no support for Mr. Bryan’s characterization of Judge Christel’s
 20 order.

21 Accordingly, the Court ORDERS:

22 1) The Court adopts the Report and Recommendation.
 23 2) Plaintiff’s Amended Complaint (Dkt. No. 18) is dismissed with prejudice for failure to
 24 state a claim and as frivolous in accord with 28 U.S.C. §§ 1915(e) and 1915A(b).

1 3) This dismissal constitutes a “strike” pursuant to § 1915(g).
2 4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants,
3 and to Hon. David W. Christel.

4 Dated this 3rd day of June, 2024.

5 
6

7 Kymberly K. Evanson
8 United States District Judge

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24